

JUN 15 2006

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA, } No. CR-06-00346-DLJ
Plaintiff, }
v. }
PROTECTIVE ORDER RE
DISCLOSURE OF CERTAIN WITNESS
STATEMENTS TO DEFENSE COUNSEL
JONATHAN J. FORD, }
Defendant. }

At the last calling of this case on June 2, 2006, there was colloquy between the Court and counsel about whether the government would provide defense counsel with copies of DEA reports of interviews of cooperating defendants. Government counsel acknowledged that to date, no such reports had been turned over to defense counsel. Government counsel noted that these statements would be Jencks Act statements, subject to disclosure as provided in 18 U.S.C. § 3500. See also Fed.R.Crim.P. 26.2. The Court indicated its preference that such statements be provided to defense counsel in advance of the date required by law.

The government is agreeable to providing these statements to defense counsel earlier than required by law, subject however, to a protective order that addresses the concerns expressed by government counsel as to the safety of the cooperating defendant

1 witnesses.

2 Good cause appearing, the disclosure of these materials to defense counsel is
3 subject to the following terms and conditions of this Protective Order:

4 1. The United States will provide to defendant's counsel, Scott Sugarman,
5 copies of these memoranda described above. These memoranda shall be used in
6 connection with this case and for no other purpose.

7 2. These materials shall not be copied. However, the contents of these
8 materials may be disclosed by defense counsel to and discussed with the defendant, and to
9 any other person working on this case with Attorney Sugarman. A copy of the
10 memoranda shall not be provided to the defendant.

11 3. Disclosure of additional memoranda by the government for interviews of
12 cooperating defendants conducted after the filing of this Protective Order, shall be made
13 by the government in accordance with this Order, and their use by defense counsel shall
14 be subject to the provisions of this Protective Order.

15 4. This Protective Order shall continue in force and effect until further order
16 of this Court.

17
18 IT IS SO ORDERED.

19
20
21 DATED: June 15, 2006


22 D. LOWELL JENSEN
23 UNITED STATES DISTRICT JUDGE

24
25
26
27
28

PROTECTIVE ORDER

1 Approved:

2

3 DATED: 6/15/06

4

George L. Bevan Jr.
5 GEORGE L. BEVAN JR.
6 Assistant United States Attorney
7 Counsel for the United States

8 DATED: _____

9

10 SCOTT A. SUGARMAN, ESQ.
11 Counsel for Defendant Jonathan J. Ford

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

PROTECTIVE ORDER

Jun-14-2006 03:37pm From-44 MONTGOMERY, SUITE 2080

4156779445

T-909 P.004/004 F-316

P.04

JUN-13-2006 12:04

1 Approved:

2

3 DATED: _____

4

5

6

7 DATED: 6/13/06

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

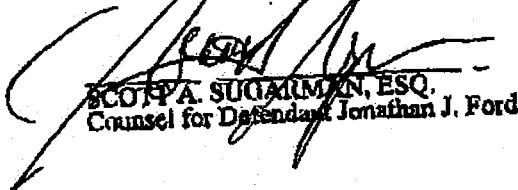
25

26

27

28

GEORGE L. BEVAN JR.
Assistant United States Attorney
Counsel for the United States


SCOTT A. SUGARMAN, ESQ.
Counsel for Defendant Jonathan J. Ford

PROTECTIVE ORDER

3

TOTAL P.04